

REMARKS

Claims 1-15 remain pending in this application. Claims 12 and 13 have been amended to include limitations similar to those in the other independent claims. This amendment is entitled to entry under 37 CFR 1.116(b) because it does not raise new issues that would require further consideration and/or search and it reduces issues for appeal.

Claims 6-7 and 12 stand rejected under 35 USC 102(a) on Shikida (JP 2002-157095). This rejection is respectfully traversed.

Claim 6 recites a printing apparatus having a determination portion and a transmission portion. The determination portion determines whether data input from a server is a print job. When the determination portion determines that the input data is not a print job, the transmission portion transmits a network address of the printing apparatus to a client.

Claim 12 recites a printing apparatus having a determination portion and a connection establishment portion. The determination portion determines whether input data from a server is a print job or an address request command inputted independently of said print job. When the determination portion determines that the input data is an address request command inputted independently of a print job, the connection establishment portion establishes a connection with a device specified by a network address included in the address request command.

These aspects of the claimed invention are not disclosed in Shikida.

The Examiner cites Shikida for teaching a transmission portion and connection establishment portion as claimed. Applicant respectfully disagrees. The portion of Shikida on which the Examiner relies for these teachings, pages 9 and 10 and step 307, does not disclose any transmission occurring when input data is determined not to be a print job, or any connection being established when input data is determined to be an address request command inputted independently of a print job.

Rather, the cited portion of Shikida only discloses transmissions occurring or connections being established when input data is a print job. In Shikida, for instance, printer apparatus 12 receives printing data from print server 13 based on a print request made by client terminal apparatus 11 (page 9, lines 9-16). Printer apparatus 12 determines whether certain settings are included in the printing data, and if so, performs various actions based on the settings (page 10, lines 3-19) before printing the printing data (page 10, lines 20-26). Because the printing data received from print server 13 and processed by printer apparatus 12 is a print job, Shikida does not disclose performing any action, much less transmitting a network address or establishing a connection, when input data is determined not to be a print job or is determined to be an address request command inputted independently of a print job as claimed.

Accordingly, since Shikida does not disclose the teachings for which it is cited, this rejection should be withdrawn.

Claims 1, 8-10, 13 and 15 are rejected under 35 USC 103(a) on Shikida in view of Ferlitsch (US 2002/0114004). This rejection is respectfully traversed.

Claims 1, 8 and 13 recite transmitting to a printer apparatus, independently of a print job, an address request command for requesting a network address of a printing apparatus. Similarly, claim 15 recites a printer apparatus receiving data, independently of a print job, from a server such that the received data includes a command requesting a transmission of an address of the printing apparatus. These aspects of the claimed invention are not disclosed or suggested in either Shikida or Ferlitsch.

While the Examiner concedes that Shikida does not disclose transmitting an address request command independently of a print job, the Examiner cites Ferlitsch for this teaching. Applicant respectfully disagrees. For this teaching the Examiner relies on two different embodiments of Ferlitsch, neither of which discloses an address request command as claimed.

Ferlitsch is directed to a print server that manages print jobs directly between clients and printers, rather than receiving and forwarding print jobs in the conventional manner. In the first

embodiment of Ferlitsch relied upon by the Examiner, spanning paras. 0068-0072, spooler 160 of client 80 starts a printing process by generating a print job ticket that describes the print job. Spooler 160 sends the print job ticket to print server 116. When print server 116 selects the print job for printing, it sends a print job authorization message back to client 80 authorizing client 80 to initiate despooling the print job directly to printer 108. The authorization message may include the address of printer 108.

In the second embodiment relied upon by the Examiner, spanning paras. 0089 and 0090, print server 116 sends the print job authorization message to printer 108 rather than to client 80, and authorizes printer 108 to initiate despooling the print job directly from client 80. The print job authorization message in this embodiment includes the address of client 80 rather than printer 108. Printer 108 initiates despooling by sending a despool authorization message to client 80. The despool authorization message may include the address of printer 108.

Neither cited embodiment discloses transmitting to a printer an address request command requesting the printer's network address as claimed. In the first embodiment, print server 116 has the address of printer 108 and passes it on to client 80. In the second embodiment, printer 108 has its own address and passes it on to client 80. Neither embodiment discloses a command for requesting printer 108's address, much less transmitting an address request command to printer 108, as claimed.

Accordingly, since Ferlitsch does not disclose the teachings for which it is cited, and Shikida and Ferlitsch do not teach or suggest, either alone or together, the elements required by the claims, this rejection should be withdrawn.

Claims 2-5, 11 and 14 are rejected under 35 USC 103(a) on Shikida and Ferlitsch in view of Mochizuki (US 2002/0001495). This rejection is respectfully traversed because the deficiencies of Shikida and Ferlitsch as explained above are not compensated for by the additional reference of Mochizuki. Accordingly, this rejection should be withdrawn.

In view of the above, early action allowing claims 1-15 is solicited.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no.

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